

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-14, 16-27, 29-37, 39-43 are currently pending in this application. Claims 1, 5, 7, 9, 26, 27, 29, 36, 37, 39, 42 and 43 are hereby amended. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. SUPPORT FOR CLAIM AMENDMENTS

Non-limiting, exemplary support for these amendments may be found in, for example, paragraphs [0374] and [0376] of Applicant's published application. These paragraphs recite:

[0374] In step S139, the I/O management program 171 of the personal computer 9 receives the content data conversion and transmission request through the infrared communication unit 146 (or wireless LAN communication unit 147), and supplies the received request to the AV content management/search program 176. In turn, the AV content management/search program 176 searches for and retrieves the corresponding content data and feeds the retrieved data to the AV content conversion program 175. The AV content conversion program 175

converts the supplied content data into a format that allows the moving picture display program 87 of the PDA 1 to effect content displays on the display unit 31. The converted content data are sent to the I/O management program 171.

[0375] In step S140, the I/O management program 171 transmits the converted content data to the PDA 1 through the infrared communication unit 146 (or wireless LAN communication unit 147).

[0376] In step S141, the TV program recording preset program 83 of the PDA 1 under control of the data communication program 81 receives the content data through the infrared communication unit 22 (or wireless LAN communication unit 64), generates icons representing the content data that are available for reproduction, and outputs the generated icons to the display unit 31 for display under control of the I/O control program 82.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-8, and 46 were rejected under 35 U.S.C. §103(e) over U.S. Patent No. 6,898,762 to Ellis et al. (hereinafter, merely “*Ellis*”) in view of UK Patent Application No. 2343074 to Miller et al. (hereinafter, merely “*Miller*”), U.S. Patent No. 7,469,413 to Mizutome et al. (hereinafter, merely “*Mizutome*”), and further in view of U.S. Patent No. 6,437,836 to Huang et al. (hereinafter, merely “*Huang*”) and U.S. Patent No. 7,210,100 to Berger et al. (hereinafter, merely “*Berger*”).

Claims 9, 14, 16-20, and 22-27 were rejected under 35 U.S.C. §103(a) over *Huang* in view of *Miller*, *Mizutome*, and *Berger*.

Claims 10-13 and 21 were rejected under 35 U.S.C. §103(a) over *Huang* in view of *Miller*, *Mizutome*, and further in view of *Berger* and *Ellis*.

Claims 29, 31-37, 39-40, and 42-43 were rejected under 35 U.S.C. §103(a) over *Ellis* in view of *Miller*, *Mizutome*, and further in view of *Huang* and *Berger*.

IV. RESPONSE TO REJECTIONS

Independent claim 1 recites, *inter alia*:

wherein the converted program information is converted into a predetermined format that allows a display program of said portable information terminal apparatus to display on the program information,

wherein said portable information terminal apparatus generates an icon representing the received converted content data that is available for reproduction, and outputs the generated icons. (Emphasis added)

Neither *Ellis, Miller, Mizutome, Huang*, nor *Berger*, taken either alone or in combination, disclose or render predictable the above-identified features.

Specifically, Applicants note that the Office Action concedes that *Ellis, Miller, Mizutome, Huang* fail to teach or suggest or render predictable “wherein the converted program information is converted into a predetermined format that allows a display program of said portable information terminal apparatus to display on the program information, wherein said portable information terminal apparatus generates an icon representing the received converted content data that is available for reproduction, and outputs the generated icons”, as recited in claim 1.

Furthermore, Applicants respectfully submit that the combination of prior art lacks motivation and is a result of **improper hindsight**. The Office Action appears to have pieced together a mosaic of features from each of the references. Applicants respectfully request that the rejection be withdrawn.

Therefore, for at least the foregoing reason, Applicants respectfully submit that claim 1 is patentable. Independent claims 5, 7, 9, 26-27, 29, 36-37, 39, and 42-43, which are similar in scope to claim 1, are also patentable for similar reasons.

Reconsideration and withdrawal of these rejections is, therefore, respectfully requested.

V. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

In view of the foregoing amendments and remarks, it is believed that all of the claims remaining in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800